

FORM

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

50179-086

09/701437

U.S. APPLIC. NO. (if known, see 37 CFR 1.5)

09/701,437

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

PCT/AU99/00420

May 31, 1999

May 29, 1998

TITLE OF INVENTION

METHOD OF DESIGNING AGONISTS AND ANTAGONISTS TO EGF RECEPTOR FAMILY

APPLICANT(S) FOR DO/EO/US

Thomas Charles ELLEMAN et al.



Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendment has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information.

Petition for one-month extension of time

| | | |
|--|---|---------------------------------------|
| U.S. APPLIC. NO. (if known, see 37 CFR 1.50) 09/701,437 | INTERNATIONAL APPLICATION NO. PCT/AU99/00420 | ATTORNEY'S DOCKET NUMBER 50179-086 |
|--|---|---------------------------------------|

| | CALCULATIONS | PTO USE ONLY | | | | | | | | | | | | | | | | |
|---|------------------------|--------------|--------------|------|--------------|-------|--|-----------|--------------------|------|--|-----------|---|--|--|------------|----|--|
| 17. <input type="checkbox"/> The following fees are submitted: <div style="display: flex; justify-content: space-between;"> <div> Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO International preliminary examination fee paid to USPTO (37 CFR 1.482) No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) </div> <div style="text-align: right;"> \$860.00 \$690.00 \$710.00 \$1,000.00 \$100.00 </div> </div> <div style="text-align: right; margin-top: 10px;"> ENTER APPROPRIATE BASIC FEE AMOUNT = </div> | | | | | | | | | | | | | | | | | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | \$ | | | | | | | | | | | | | | | | | |
| <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">Claims</th> <th style="width:20%;">Number Filed</th> <th style="width:20%;">Number Extra</th> <th style="width:20%;">Rate</th> </tr> <tr> <td>Total Claims</td> <td style="text-align: center;">-20 =</td> <td></td> <td style="text-align: center;">x \$18.00</td> </tr> <tr> <td>Independent Claims</td> <td style="text-align: center;">-3 =</td> <td></td> <td style="text-align: center;">x \$80.00</td> </tr> <tr> <td colspan="3">Multiple dependent claim(s) (if applicable)</td> <td style="text-align: center;">+ \$270.00</td> </tr> </table> | Claims | Number Filed | Number Extra | Rate | Total Claims | -20 = | | x \$18.00 | Independent Claims | -3 = | | x \$80.00 | Multiple dependent claim(s) (if applicable) | | | + \$270.00 | \$ | |
| Claims | Number Filed | Number Extra | Rate | | | | | | | | | | | | | | | |
| Total Claims | -20 = | | x \$18.00 | | | | | | | | | | | | | | | |
| Independent Claims | -3 = | | x \$80.00 | | | | | | | | | | | | | | | |
| Multiple dependent claim(s) (if applicable) | | | + \$270.00 | | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | \$ | | | | | | | | | | | | | | | | | |
| Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28). | \$ | | | | | | | | | | | | | | | | | |
| SUBTOTAL = | \$ | | | | | | | | | | | | | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | \$ | | | | | | | | | | | | | | | | | |
| TOTAL NATIONAL FEE = | \$ | | | | | | | | | | | | | | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | \$ | | | | | | | | | | | | | | | | | |
| TOTAL FEES ENCLOSED = | \$ | | | | | | | | | | | | | | | | | |
| | Amount to be: refunded | \$ | | | | | | | | | | | | | | | | |
| | charged | \$ | | | | | | | | | | | | | | | | |

a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 500417. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

McDERMOTT, WILL & EMERY
 600 13th Street, N.W.
 Washington, DC 20005-3096
 (202) 756-8000
 Facsimile (202) 756-8087

| | |
|---------------------|------------------------|
| SIGNATURE | <i>Robert L. Price</i> |
| Robert L. Price | |
| NAME | 22.685 |
| REGISTRATION NUMBER | March 2, 2001 |
| DATE | |

Docket No.: 50179-086

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :

Thomas Charles ELLEMAN, et al. :

Serial No.: 09/701,437 :

Group Art Unit:

Filed: November 29, 2000 :

Examiner:

For: METHOD OF DESIGNING AGONISTS AND ANTAGONISTS TO EGF RECEPTOR
FAMILY

**RESPONSE TO NOTIFICATION
OF MISSING REQUIREMENTS**

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Notification of Missing Requirements dated January 8, 2001, submitted
herewith are the following documents for filing in the above-referenced application:

1. Declaration and Power of Attorney (which is in compliance with 37 CFR 1.63)
2. Assignment
3. Petition for one-month extension of time

Please correct the name of the ninth inventor to **Colin Wesley WARD** as it appears on
the executed Declaration and Power of Attorney filed concurrently herewith.

Please charge any shortage in fees due in connection with the filing of this paper to
Deposit Account 500417 and please credit any excess fees to such deposit account.

It is requested that the official filing receipt now be issued.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

A handwritten signature in cursive script, appearing to read "Robert L. Price".

Robert L. Price

Registration No. 22,685

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(202) 756-8000 RLP:klm
Date: March 2, 2001
Facsimile: (202) 756-8087